IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9010 OF 2005

Smt.Gangubai @ Sonabai D.Patil
(deceased), by legal representatives
Shri Suresh D.Patil & Anr. ...Petitioners

Versus

Shri Anandrao R.Kulkarni & Ors. ...Respondents

Shri N.J.Patil for the Petitioners.

CORAM : S.C. DHARMADHIKARI, J.
DATE : JANUARY 16, 2006.

P.C.:

1. After hearing Shri Patil learned Counsel appearing for the petitioners, in my view, there is no reason to interfere under Article 227 of the Constitution of India with an interlocutory order passed in the Suit and confirmed by the Appellate Court upon a finding of fact with regard to the possession of the suit property. Needless to state that, the Suit which is pending will have to be decided on its own merits and in accordance with law uninfluenced by the any observations made, either by the trial Court or by the Appellate Court, while disposing of an application for interim relief.

(S.C.DHARMADHIKARI,J.)